

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEITH T. TOWNS,

Plaintiff,

No. CIV S-04-1855 KJM-EFB

vs.

AMERIQUEST MORTGAGE CO.; et al.,

Defendants.

ORDER

_____ /

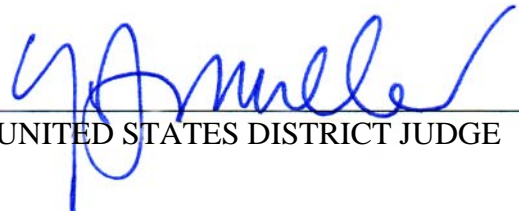
This matter comes before the court upon defendants' motion for summary judgment, filed on June 29, 2011. (ECF 87.) Plaintiff has not filed and served an opposition or statement of non-opposition at least fourteen days preceding the hearing date of August 10, 2011 as required by Local Rule 230(c). In addition, although plaintiff's counsel on May 31, 2011 indicated an intent to oppose defendants' ex parte application filed on June 3, 2011 (ECF 85), no opposition was forthcoming. (*See* Blackler Decl., Ex. 4, ECF 85-2 at 60.) In fact, the last action taken by plaintiff was his request for substitution of attorney, filed on December 21, 2010. (ECF 77.)

Plaintiff is hereby ORDERED, within fourteen (14) days of the entry of this order, to show cause: 1) why sanctions should not be imposed against him or his counsel for failure to comply with Local Rule 230(c), and 2) why this case should not be dismissed for

1 failure to prosecute. The August 10, 2011 hearing on defendants' motion for summary judgment
2 is hereby VACATED, to be reset if the court determines a hearing is necessary.

3 IT IS SO ORDERED.

4 DATED: August 3, 2011.

5
6 
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT JUDGE